

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING FAXED TO THE USPTO AT FAX NUMBER 703-308-4242, TO THE ATTENTION OF EXAMINER SCHNIZER, GROUP ART UNIT: 1632 ON THE DATE INDICATED BELOW.

BY:

Parrella Wright

DATE:

January 24, 2003

**PATENT  
BOX AF**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re: Patent Application of  
Darwin J. Prockop *et al.*

: Group Art Unit: 1632

# 39/Response

Appln. No.: 09/028,395

: Examiner: Richard Schnizer, Ph.D.

Filed: February 24, 1998

: Attorney Docket

For: ISOLATED STROMAL CELLS FOR USE : No. 9598-32US  
IN THE TREATMENT OF DISEASES OF : (53844-5002-00)  
THE CENTRAL NERVOUS SYSTEM : AUHS-318

**RESPONSE TO REMARKS IN NOTICE OF ALLOWABILITY**

This Response responds to the Examiner's remarks set forth in the Notice of Allowability mailed December 24, 2002 (Paper No. 37), and follows a telephone conversation between the Examiner and the undersigned.

This Response is being timely filed.

**REMARKS**

Applicants are very pleased to acknowledge that claims 19 and 20 of the above-captioned application have been deemed to be allowable. Applicants further acknowledge that they have given authorization for the Examiner's amendment set out at page 2 of the Notice of Allowability.

**Corrected oath or declaration**

At page 3 of the Notice of Allowability, the Examiner points out that the original Declaration and Power of Attorney filed June 5, 1998, contained a typographical error in that foreign priority was claimed to PCT/US96/94407 instead of to PCT/US96/04407. Applicants submit herewith a newly executed Declaration and Power of Attorney correcting the